

*Criminal Code*

he was not afraid when he blew his safe that he might kill some people who were innocently in a neighbouring office, or something of that kind. He was not greatly concerned about that. He said: "Art Smith, there are a lot of amateurs blowing safes these days." He said: "They may kill somebody, but I never would." He showed me how he blew his safe. He built a little cup with soap, he poured in the nitroglycerine, and he knew how much to put in. He could blow a safe with just a little puff and the door was open. He said: "I am not concerned about it." He said: "You have got to stand up some day and sentence some of these amateurs to be hanged because they did not know how to handle nitroglycerine," but he had it in his mind. I talked to quite a number of these chaps. You know, these people who commit crime are not all dumb. I have talked to a good many of them. I have pleaded with the Solicitor General for some of them. I have talked to even the present Solicitor General to exercise that mercy which I know is in his soul, but he is keeping it locked up pretty well these days, I do not mind telling you.

I know perfectly well that the fear, not of capital punishment, but of hanging is the greatest deterrent to serious crime in this country at the present time. I do not know how many of you have read the story by Mr. Duffy which has been running in six issues of the *Saturday Evening Post* recently. Mr. Duffy is the commandant of the San Quentin penitentiary in the United States. He uses most excellent arguments, from his standpoint, against capital punishment; but what has happened to him is obvious. There they have the gas chamber. The warden of the penitentiary must see each man. He must be present, looking through the window, when the gas is turned on below the chair on which the prisoner is strapped, and so on. It is so easy, Mr. Speaker, with the humanitarian feeling that is in all of us, to say: Well this other chap is killed. The state will look after the children. His widow has gone to work and has got a job. In cold blood now we just cannot execute this man. It is awfully easy to get yourself into that frame of mind and be honest with yourself in so doing.

I have not a word to say in criticism of anyone who is seeking to do away with capital punishment; certainly if we succeeded we would salve our conscience to a considerable extent. But I still firmly believe, Mr. Speaker, that hanging is the greatest deterrent that we know of. You want statistics? If you want testimony go to England. There was lots of it there in the old days. That is all changed now. Today murder has become with some people a fine art. It is true that today the English bobby for the first time in

[Mr. Smith (Calgary West).]

history is armed with a revolver or a gun of some kind. Why? You rarely heard of a shooting in England until recent years. Murders there were by knife, by club, by garrotte or something like that. But this revolver business is in fact the reason why that rule of the metropolitan police has been changed in the last few years.

I am not going to talk this bill out. I know that I leave myself open to criticism and well meant criticism and honest criticism. I know I can be accused of being cruel and all that sort of thing. It is not cruelty, sir, to take the life of a man when by so doing you save the lives of half a dozen others, as has been the history of the United States.

So far as I am concerned, I am in favour of capital punishment for wilful murderers. I am also in favour of death by hanging by the neck until you are dead, and may God have mercy on your soul. I have heard that often.

**Mr. R. R. Knight (Saskatoon):** It is obvious that if my colleague speaks now he will close the debate. Since he has expressed the wish to have an opportunity to attempt to refute the arguments which have been so well put before us by the hon. member for Calgary West (Mr. Smith) and the Solicitor General (Mr. Lapointe), I feel it is my duty upon his behalf to fill this gap.

I personally did not intend to take part in the general argument, but I am intrigued somewhat from an academic point of view by the scripture arguments of the Solicitor General, when he told my colleague that there was another book and another argument in scripture that could be read I am quite sure that he was referring to the famous one, "An eye for an eye and a tooth for a tooth."

**Mr. Lapointe:** The one that the hon. member for Calgary West quoted to you.

**Mr. Knight:** My curiosity at any rate was sufficiently aroused to cause me to send for a copy of the bible. There must be two copies since the hon. member for Calgary West has one, unless it is a private one of his own.

**Mr. Smith (Calgary West):** Even I recognize the bible when I see it.

**Mr. Knight:** Exodus, chapter 21, verses 23 to 25 read:

23 And if any mischief follow, then thou shalt give life for life,

24 Eye for eye, tooth for tooth, hand for hand, foot for foot,

25 Burning for burning, wound for wound, stripe for stripe.

Obviously these are the passages to which my hon. friend refers.

**Mr. Lapointe:** No, that is not the one.